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SENATE BILL 594

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Lidio G. Rainaldi

AN ACT

RELATING TO MOTOR VEHICLES; PLACING SPEED AND DRIVING
RESTRICTIONS ON CERTAIN VEHICLES WITH A GROSS VEHICLE WEIGHT OF
FORTY-EIGHT THOUSAND POUNDS OR MORE; AMENDING SECTIONS OF THE
MOTOR VEHICLE CODE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-7-301 NMSA 1978 (being Laws 1978,
Chapter 35, Section 405, as amended) is amended to read:

"66-7-301. SPEED REGULATION. --

A. No person shall drive a vehicle on a highway at
a speed greater than:

(1) fifteen miles per hour on all highways
when passing a school while children are going to or leaving
school and when the school zone is properly posted;

(2) thirty miles per hour in a business or

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1 residence district;

2 (3) seventy-five miles per hour; provided that
3 a truck tractor or road tractor with a gross vehicle weight of
4 forty-eight thousand pounds or more shall not be driven at a
5 speed greater than sixty-five miles per hour; and

6 (4) the posted speed limit in construction
7 zones posted as double fine zones or other safety zones posted
8 as double fine zones as designated by the state highway and
9 transportation department, provided that the posted speed limit
10 shall be determined by an engineering study performed by the
11 state highway and transportation department.

12 B. In every event, speed shall be so controlled by
13 the driver as may be necessary:

14 (1) to avoid colliding with a person, vehicle
15 or other conveyance on or entering the highway;

16 (2) to comply with legal requirements as may
17 be established by the state highway and transportation
18 department or the New Mexico state police division of the
19 department of public safety and the duty of all persons to use
20 due care; and

21 (3) to protect workers in construction zones
22 posted as double fine zones or other safety zones posted as
23 double fine zones as designated by the state highway and
24 transportation department.

25 C. The speed limits set forth in Subsection A of
. 145030. 1

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1 this section may be altered as authorized in Section 66-7-303
2 NMSA 1978. "

3 Section 2. Section 66-7-317 NMSA 1978 (being Laws 1978,
4 Chapter 35, Section 421) is amended to read:

5 "66-7-317. DRIVING ON ROADWAYS LANED FOR TRAFFIC. --

6 Whenever any roadway has been divided into two or more clearly
7 marked lanes for traffic, the following rules, in addition to
8 all others consistent [~~herewith~~] with this section, shall
9 apply:

10 A. a vehicle shall be driven as nearly as
11 practicable entirely within a single lane and shall not be
12 moved from [~~such~~] that lane until the driver has first
13 ascertained that [~~such~~] the movement can be made with safety;

14 B. upon a roadway [~~which~~] that is divided into
15 three lanes, a vehicle shall not be driven in the center lane
16 except when overtaking [~~a~~] and passing another vehicle where
17 the roadway is clearly visible and [~~such~~] the center lane is
18 clear of traffic within a safe distance or in preparation for a
19 left turn or where [~~such~~] the center lane is at the time
20 allocated exclusively to traffic moving in the direction the
21 vehicle is proceeding and is signposted to [~~given~~] give notice
22 of such allocation; [~~and~~]

23 C. official signs may be erected directing slow-
24 moving traffic to use a designated lane or designating those
25 lanes to be used by traffic moving in a particular direction

. 145030. 1

1 regardless of the center of the roadway, and drivers of
2 vehicles shall obey the directions of every such sign; and
3 D. a truck tractor or road tractor with a gross
4 vehicle weight of forty-eight thousand pounds or more shall be
5 driven only in the right lane, except for the purpose of
6 passing another motor vehicle without impeding traffic."

7 Section 3. EFFECTIVE DATE. --The effective date of the
8 provisions of this act is July 1, 2003.

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